IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.3316 OF 2006

Ms. Gulshan Mohammed ..Petitioner.

Vs.

Harish Shambhulal Hariani ..Respondent.

...

Ms. V.S. Dighe for the Petitioner.
Mr. J.G. Reddy with Ms. Suhasini Mutalik for the Respondent.

...

CORAM: DR. D.Y. CHANDRACHUD, J.

19th June, 2006.

P.C. :

The Small Causes Court has in its revisional order dated 18th January, 2006 fixed the standard rent at Rs.433.65 per month plus permitted increases, municipal taxes and repair cess as applicable, as per municipal bills raised from the date of the filing of the application.

A perusal of Clause 2 of the agreement dated 28th February, 1990 will show that the tenant was to pay regularly without any default a monthly rent of Rs.433.65 which was to be inclusive of permitted increases uptodate but exclusive of electricity

and water charges. Clause 3, however, provided that the tenant shall pay all the taxes which he is by law liable to pay. In these circumstances, the order of Small Causes Court in its revisional jurisdiction is correct and does not warrant any interference. The Petition is dismissed.